

THE MYSORE GENERAL CLAUSES ACT, 1899.

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MYSORE ACT No. III OF 1899.

THE MYSORE GENERAL CLAUSES ACT, 1899.

*(As amended by Acts VII of 1949, X of 1950 and 12 of 1953.)**(PASSED ON THE 3RD DAY OF JULY 1899).*

An Act for further shortening the language used in
¹[Mysore Acts] and for other purposes.

WHEREAS it is expedient further to shorten the language used in ¹[Mysore Acts], and to make certain other provisions relating to those enactments; Her Highness the Maharani-Regent is pleased to enact as follows :—

Preliminary.

Short title
and com-
mencement.

1. ²[(1) This Act may be called the Mysore General Clauses Act, 1899.]

(2) It shall come into force at once.

³2. * * *

General Definitions.

Definitions.

3. In this Act, and in all ¹[Mysore Acts] made after the commencement of this Act, unless there is anything repugnant in the subject or context,—

“ Abet.”

(1) “ abet,” with its grammatical variations and cognate expressions, shall have the same meaning as in the Indian Penal Code ;

Act.”

(2) “ act,” used with reference to an offence or a civil wrong, shall include a series of acts and words which refer to acts done extend also to illegal omissions ;

“ Affidavit.”

(3) “ affidavit ” shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing ;

“ Barrister.”

(4) “ barrister ” shall mean a barrister of England, or Ireland, or a member of the Faculty of Advocates in Scotland ;

1. Substituted by Act 12 of 1953.

2. Substituted by Act X of 1950.

3. Section 2 and schedule omitted by Act 12 of 1953.

¹[(5) 'British India' shall mean, as respects the period before the commencement of Part III of the Government of India Act, 1935, all territories and places within His Majesty's dominions which were for the time being governed by His Majesty through the Governor-General of India or through any Governor or officer subordinate to the Governor-General of India, and as respects any period after that date and before the date of the establishment of the Dominion of India means all territories for the time being comprised within the Governors' Provinces and the Chief Commissioners' Provinces ;]

"British India."

²[(5a) 'Central Act' shall mean an Act of Parliament, and shall include—

- (a) an Act of the Dominion Legislature or of the Indian Legislature passed before commencement of the Constitution, and
- (b) an Act made before such commencement by the Governor-General in Council or the Governor-General acting in a legislative capacity,

(5b) 'Central Government' shall,—

- (a) in relation to anything done before the commencement of the Constitution, mean the Governor-General or the Governor-General in Council, as the case may be ; and shall include, (i) in relation to functions entrusted under sub-section (1) of section 124 of the Government of India Act, 1935, to the Government of a Province, the Provincial Government acting within the scope of the authority given to it under that sub-section ; and (ii) in relation to the administration of a Chief Commissioner's Province, the Chief Commissioner acting within the scope of the authority given to him under sub-section (3) of section 94 of the said Act ; and

1. Substituted by Act 12 of 1953.

2. Inserted by Act 12 of 1953.

(b) in relation to anything done or to be done after the commencement of the Constitution, mean the President ; and shall include (i) in relation to functions entrusted under clause (1) of article 258 of the Constitution to the Government of a State, the State Government acting within the scope of the authority given to it under that clause ; and (ii) in relation to the administration of a Part C State, the Chief Commissioner or the Lieutenant-Governor or the Government of a neighbouring State or other authority acting within the scope of the authority given to him or it under article 239 or article 243 of the Constitution, as the case may be ;]

“ Chapter.”

(6) “ Chapter ” shall mean a Chapter of the Act in which the word occurs ;

¶(7) ‘ Chief Controlling Revenue Authority ’ or ‘ Chief Revenue Authority ’ shall mean such authority as the State Government may, by notification in the official Gazette, appoint ;]

¶(7a) ‘ City of Bangalore ’ shall mean such local area as is declared from time to time to be the City of Bangalore under any Act for the time being in force relating to the Municipal affairs of such City ;]

“ Commencement.”

(8) “ Commencement,” used with reference to an Act, shall mean the day on which the Act comes into force ;

¶(8a) ‘ Constitution ’ shall mean the Constitution of India ;

(8b) ‘ Consular Officer ’ shall include Consul-general, consul, vice-consul, consular agent, pro-consul and any person for the time being authorised to perform the duties of consul-general, consul, vice-consul or consular agent ;]

“ Deputy Commissioner.”

(9) “ Deputy Commissioner ” shall mean the chief officer in charge of the revenue-administration of a district ;

1. Substituted by Act 12 of 1953.
2. Inserted by Act 12 of 1953.

(10) "District Judge" shall mean the Judge of a principal Civil Court of original jurisdiction¹ [but shall not include the High Court in the exercise of original civil jurisdiction ;]

" District
Judge."

(11) "Document" shall include any matter written, expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means, which is intended to be used, or which may be used, for the purpose of recording that matter ;

" Document."

(12) "Enactment" shall include—

" Enactment."

(a) a ²[Mysore Act]

(b) an Act of the Governor-General of India in Council or of a local Legislature in India, introduced as law into Mysore,

(c) a body of Rules (other than rules made in exercise of a power conferred by any Act or by any such Act as aforesaid) prescribed as law in Mysore, and

(d) any provision contained in ²[any Mysore Act] or in any such Act or body of Rules as aforesaid ;

(13) "Father," in the case of any one whose personal law permits adoption, shall include an adoptive father ;

" Father."

³[(13-A) "financial year" or "official year" shall mean the year commencing on the first day of April :

Provided that in respect of the financial or official year of 1949-50, "financial year" or "official year" shall mean the period commencing on the first day of July, 1949, and ending with the thirty-first day of March 1950 ;]

(14) "⁴[revenue year]" shall mean the year commencing on the first day of July ;

" Revenue
year",

(15) a thing shall be deemed to be done in "good faith" where it is in fact done honestly, whether it is done negligently or not ;

" Good faith."

²[(16) 'Government' or 'the Government' shall—

" Government."

(a) in relation to anything done before the commencement of the Constitution, mean the

1. Added by Act 12 of 1953.

2. Substituted by Act 12 of 1953.

3. Inserted by Act X of 1950.

4. The words "revenue year" substituted for certain words by Act X of 1950.

authority or person authorised at the relevant date to administer executive Government in Mysore ;

(b) in relation to anything done or to be done after the commencement of the Constitution, include both the Central Government and the State Government ;]

1[(16a) ' Government securities ' shall mean securities of the Central Government or of any State Government, but in any Mysore Act made before the commencement of the Constitution shall not include securities of the Government of any State other than the State of Mysore ;

(16b) ' High Court ' used with references to civil proceedings shall mean the highest civil court of appeal (not including the Supreme Court) in the State of Mysore ;]

" Immoveable property."

(17) " Immoveable property " shall include land, benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth ;

" Imprisonment."

(18) " Imprisonment " shall mean imprisonment of either description as defined in the Indian Penal Code ;

1[(18a) ' India ' shall mean—

(a) as respects any period before the establishment of the Dominion of India, British India together with all territories of Indian Rulers then under the suzerainty of His Majesty, all territories under the suzerainty of such an Indian Ruler, and the tribal areas ;

(b) as respects any period after the establishment of the Dominion of India and before the commencement of the Constitution, all territories for the time being included in that Dominion ; and

(c) as respects any period after the commencement of the Constitution, all territories for the time being comprised in the territory of India ;]

(19) "Judicial proceeding" shall mean any proceeding in the course of which evidence is, or may be, legally taken ; "Judicial proceeding."

(20) "Local authority" shall mean a municipal committee, district board, or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund ; "Local authority."

(21) "Magistrate" shall include every person exercising all or any of the powers of a Magistrate under the Code of Criminal Procedure for the time being in force ; "Magistrate."

(22) "Month" shall mean a month reckoned according to the British calendar ; "Month."

(23) "Moveable property" shall mean property of every description, except immoveable property ; "Moveable property."

(24) "Mysore" shall mean the [territories for the time being comprised in the State of Mysore]. "Mysore."

²[24a) 'Mysore Act' shall mean an Act of the Legislature of the State of Mysore under the Constitution and shall include—

(a) an Act of the Legislature of the State of Mysore passed before the commencement of the Constitution ; and

(b) an Act made before such commencement by the Maharaja of Mysore ;]

(25) "oath" shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing ; "Oath."

(26) "offence" shall mean any act or omission made punishable by any law for the time being in force ; "Offence."

²[(26a) 'Official Gazette' or 'Gazette' shall mean the *Mysore Gazette*.]

(27) "part" shall mean a part of the Act in which the word occurs ; "Part."

²[(27a) 'Part A State' shall mean a State for the time being specified in Part A of the First Schedule to the Constitution, 'Part B State'

1. Substituted by Act 12 of 1953.

2. Inserted by Act 12 of 1953.

shall mean a State for the time being specified in Part B of that Schedule and 'Part C State' shall mean a State for the time being specified in Part C of that Schedule or a territory for the time being administered by the President under the provisions of Article 243 of the Constitution :]

" Person." (28). " Person " shall include any company or association or body of individuals, whether incorporated or not ;

" Place." (29) " Place " shall include also a house, building, tent and vessel ;

" Public." (30) " Public " shall include any class of the public or any community ;

" Public nuisance." (31) " Public nuisance " shall mean a public nuisance as defined in the Indian Penal Code ;

" Registered." ¹[(32) ' registered ' used with reference to a document shall,—

(a) as respects any period before the first day of April 1951, mean registered under the law for the time being in force in Mysore for the registration of documents ;

(b) as respects any period from the first day of April 1951, mean registered in a Part A State or Part B State or Part C State under the law for the time being in force for the registration of documents ;]

²[(33) * * *

" Rule." (34) " Rule " shall mean a rule made in exercise of a power conferred by any enactment ³[and shall include a regulation made as a rule under any enactment] ;

" Schedule." (35) " schedule " shall mean a schedule to the Act in which the word occurs ;

" Section." (36) " section " shall mean a section of the Act in which the word occurs ;

1. Substituted by Act 12 of 1953.

2. Clause 33 omitted by Act 12 of 1953.

3. Added by Act 12 of 1953.

(37) "Sign," with its grammatical variations and cognate expressions, shall, with reference to a person who is unable to write his name, include "mark," with its grammatical variations and cognate expressions; "Sign."

(38) "Son," in the case of any one whose personal law permits adoption, shall include an adopted son; "Son."

[(38a) 'State' shall mean a Part A State, a Part B State or a Part C State;

(38b) 'State Act' shall mean an Act passed by the Legislature of a State established or continued by the Constitution;

(38c) 'State Government' as respects anything done or to be done after the commencement of the Constitution, shall mean the Rajpramukh of the State of Mysore;]

(39) "Sub-section" shall mean a sub-section of the section in which the word occurs; "Sub-section."

(40) "Swear," with its grammatical variations and cognate expressions, shall include affirming and declaring in the case of persons by law allowed to affirm or declare instead of swearing; "Swear."

(41) "Will" shall include a codicil and every writing making a voluntary posthumous disposition of property; "Will."

(42) Expressions referring to "writing" shall be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form; and "Writing."

(43) "Year" shall mean a year reckoned according to the British calendar. "Year."

4. The definitions in section 3 of the following words and expressions, that is to say, "affidavit," "barrister," "British India," "[High Court]" "District Judge," "father," "immoveable property," "imprisonment," "Magistrate," "month," "moveable property," "oath," "person," "section," "son," "swear," "will," and "year" apply also, unless there is anything repugnant in the subject or context, to all enactments made after the third day of January 1868.

Application of foregoing definitions to previous enactments.

1. Inserted by Act 12 of 1953.

2. The words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.

General Rules of Construction.

Coming into
operation of
enactments.

5. ¹[(1) Where any Mysore Act is not expressed to come into operation on a particular day, then,

(i) in the case of a Mysore Act made before the commencement of the Constitution, it shall be deemed to have come into operation on the day on which it received the assent of the Maharaja ;

(ii) in the case of a Mysore Act made after the commencement of the Constitution and before the commencement of the Mysore General Clauses (Amendment) Act, 1953, it shall be deemed to have come into operation on the day on which it received the assent of the Rajpramukh or the President, as the case may require ;

(iii) in the case of a Mysore Act made after the commencement of the Mysore General Clauses (Amendment) Act, 1953, it shall come into operation on the day on which the assent thereto of the Rajpramukh or the President, as the case may require, is first published in the official Gazette.]

(2) Unless the contrary is expressed, an Act shall be construed as coming into operation immediately on the expiration of the day preceding its commencement.

²[(3) In every Act referred to in clause (iii) of subsection (1), the date of publication in the official Gazette shall be printed either above or below the title of the Act and shall form part of the Act.]

Effect of repeal.

6. Where this Act or ¹[any Mysore Act] made after the commencement of this Act repeals any enactment hitherto made or hereafter to be made, then, unless a different intention appears, the repeal shall not—

(a) revive anything not in force or existing at the time at which the repeal takes effect ; or

1. Substituted by Act 12 of 1953.

2. Added by Act 12 of 1953.

(b) affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder ; or

(c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed ; or

(d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed ; or

(e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Act had not been passed.

¹[6A. Where ²[any Mysore Act] made after the commencement of this Act repeals any enactment by which the text of any Act was amended by the express omission, insertion or substitution of any matter, then, unless a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.]

Repeal of Act making textual amendment in an Act.

7. (1) In ²[any Mysore Act] made after the commencement of this Act, it shall be necessary, for the purpose of reviving, either wholly or partially, any enactment wholly or partially repealed, expressly to state that purpose.

Revival of repealed enactments.

(2) This section applies also to all enactments made after the third day of January 1868.

8. Where this Act, or ²[any Mysore Act] made after the commencement of this Act, repeals and re-enacts, with or without modification, any provision of a former enactment, then references in any other enactment or in any instrument to the provision so repealed, shall, unless a different intention appears, be construed as references to the provision so re-enacted.

Construction of references to repealed enactments.

1. Inserted by Act VII of 1949.

2. Substituted by Act 12 of 1953.

Commence-
ment and
termination
of time.

9. (1) In [any Mysore Act] made after the commencement of this Act, it shall be sufficient, for the purpose of excluding the first in a series of days or any other period of time, to use the word "from," and, for the purpose of including the last in a series of days or any other period of time, to use the word "to."

(2) This section applies also to all enactments made after the third day of January 1868.

Computation
of time.

10. Where, by [any Mysore Act] made after the commencement of this Act, any act, or proceeding is directed or allowed to be done or taken in any court or office on a certain day or within a prescribed period, then, if the court or office is closed on that day or the last day of the prescribed period, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the court or office is open :

Provided that nothing in this section shall apply to any act or proceeding to which the [Indian Limitation Act, 1908] applies.

Measurement
of distances.

11. In the measurement of any distance, for the purposes of [any Mysore Act] made after the commencement of this Act, that distance shall, unless a different intention appears, be measured in a straight line on a horizontal plane.

Duty to be
taken *pro*
rata in enact-
ments.

12. Where, by any enactment now in force or hereafter to be in force, any duty of customs or excise, or in the nature thereof, is leviable on any given quantity, by weight, measure or value of any goods or merchandise, then a like duty is leviable according to the same rate on any greater or less quantity.

Gender and
number.

13. In all enactments, unless there is anything repugnant in the subject or context,—

(1) words importing the masculine gender shall be taken to include females ; and

(2) words in the singular shall include the plural, and *vice versa*.

Powers and Functionaries.

14. Where, by ¹[any Mysore Act] made after the commencement of this Act, any power is conferred ² * Powers conferred to be exercisable from time to time.
* * then that power may be exercised from time to time as occasion requires.

15. Where, by any enactment, a power to appoint any person, to fill any office or execute any function is conferred, then, unless it is otherwise expressly provided, any such appointment, if it is made after the commencement of this Act, may be made either by name or by virtue of office. Power to appoint to include power to appoint *ex-officio*.

16. Where, by any enactment, a power to make any appointment is conferred, then, unless a different intention appears, the authority having ³[for the time being] power to make the appointment shall also have power to suspend or dismiss any ¹[person appointed whether by itself or any other authority] in exercise of that power. Power to appoint to include power to suspend or dismiss.

17. (1) In ¹[any Mysore Act] made after the commencement of this Act, it shall be sufficient, for the purpose of indicating the application of a law to every person or number of persons for the time being executing the functions of an office, to mention the official title of the officer at present executing the functions, or that of the officer by whom the functions are commonly executed. Substitution of functionaries.

(2) This section applies also to all enactments made after the third day of January 1868.

18. (1) In ¹[any Mysore Act] made after the commencement of this Act, it shall be sufficient, for the purpose of indicating the relation of a law to the successors of any functionaries or of corporations having perpetual succession to express its relation to the functionaries or corporations. Successors.

(2) This section applies also to all enactments made after the third day of January 1868.

19. (1) In ¹[any Mysore Act] made after the commencement of this Act, it shall be sufficient, for the purpose Official chiefs and subordinates.

1. Substituted by Act 12 of 1953.

2. The words "on the Government" omitted by Act 12 of 1953.

3. Inserted by Act 12 of 1953.

of expressing that a law relative to the chief or superior of an office shall apply to the deputies or subordinates lawfully performing the duties of that office in the place of their superior, to prescribe the duty of the superior.

(2) This section applies also to all enactments made after the third day of January 1868.

Provisions as to Orders, Rules, etc., made under Enactments.

Construction of orders, etc., issued under enactments.

20. Where, by any enactment, a power to issue any ¹[notification], order, scheme, rule, form or bye-law is conferred, then expressions used in the ¹[notification], order, scheme, rule, form or bye-law, if it is made after the commencement of this Act, shall, unless there is anything repugnant in the subject or context, have the same respective meanings as in the enactment conferring the power.

Power to make to include power to add to, amend, vary or rescind notifications, orders, rules or bye-laws.

21. Where, by any enactment, a power to ²[issue] ¹[notifications], orders, rules or bye-laws is conferred, then that power includes a power, exercisable in the like manner and subject to the like sanction and conditions (if any), to add to, amend, vary or rescind any ¹[notifications] orders, rules or bye-laws so ²[issued.]

Making of rules or bye-laws and issuing of orders between passing and commencement of enactment.

22. Where, by any enactment which is not to come into force immediately on the passing thereof, a power is conferred to make rules or bye-laws, or to issue orders with respect to the application of the enactment, or with respect to the establishment of any court or office or the appointment of any Judge or officer thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which anything is to be done under the enactment, then that power may be exercised at any time after the passing of the enactment ; but rules, bye-laws or orders so made or issued shall not take effect till the commencement of the enactment.

Provisions applicable to making of rules or bye-laws after previous publication.

23. Where, by any enactment, a power to make rules or bye-laws is expressed to be given subject to the condition of the rules or bye-laws being made after previous

1. Inserted by Act 12 of 1953.

2. Substituted by Act 12 of 1953.

publication, then, the following provisions shall apply, namely :—

(1) the authority having power to make the rules or bye-laws shall, before making them, publish a draft of the proposed rules or bye-laws for the information of persons likely to be affected thereby ;

(2) the publication shall be made in such manner as that authority deems to be sufficient, or, if the condition with respect to previous publication so requires, in such manner as the Government prescribes ;

(3) there shall be published with the draft a notice specifying a date on or after which the draft will be taken into consideration ;

(4) the authority having power to make the rules or bye-laws, and, where the rules or bye-laws are to be made with the sanction, approval or concurrence of another authority, that authority also, shall consider any objection or suggestion which may be received by the authority having power to make the rules or bye-laws from any person with respect to the draft before the date so specified ;

(5) the publication in the Gazette of a rule or bye-law purporting to have been made in exercise of a power to make rules or bye-laws after previous publication shall be conclusive proof that the rule or bye-law has been duly made.

24. Where any enactment is, after the commencement of this Act, repealed and re-enacted with or without modification, then, unless it is otherwise expressly provided, any ¹[appointment, notification,] order, scheme, rule, form or bye-law, ¹[made or] issued under the repealed enactment, shall, so far as it is not inconsistent with the provisions re-enacted, continue in force and be deemed to have been ¹[made or] issued under the provisions so re-enacted, unless and until it is superseded by any ¹[appointment, notification,] order, scheme, rule, form or bye-law ¹[made or] issued under the provisions so re-enacted.

Continuation
of orders,
etc., issued
under enact-
ments re-
pealed and
re-enacted.

1. Inserted by Act 12 of 1953.

Miscellaneous.

Recovery of
fines.

25. Sections 63 to 70 of the Indian Penal Code and the provisions of the Code of Criminal Procedure for the time being in force in relation to the issue and the execution of warrants for the levy of fines shall apply to all fines imposed under any enactment, rule or bye-law, unless the enactment, rule or bye-law contains an express provision to the contrary.

Provision as
to offences
punishable
under two or
more enact-
ments.

26. Where an act or omission constitutes an offence under two or more enactments, then the offender shall be liable to be prosecuted and punished under either or any of those enactments, but shall not be liable to be punished twice for the same offence.

Meaning of
service by
post.

27. Where [any Mysore Act] made after the commencement of this Act authorizes or requires any document to be served by post, whether the expression "serve" or either of the expressions "give" or "send" or any other expression is used, then, unless a different intention appears, the service shall be deemed to be effected by properly addressing, prepaying and posting by registered post, a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Citation of
enactments.

28. (1) In any enactment, and in any rule, bye-law, instrument or document, made under, or with reference to, any enactment, any enactment may be cited by reference to the title or short title (if any) conferred thereon or by reference to the number and year thereof, and any provision in an enactment may be cited by reference to the section or sub-section of the enactment in which the provision is contained.

(2) In this Act and in [any Mysore Act] made after the commencement of this Act, a description or citation of a portion of another enactment shall, unless a different intention appears, be construed as including the

word, section or other part mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

29. The provisions of this Act respecting the construction of enactments, rules, or bye-laws made after the commencement of this Act, shall not affect the construction of any enactment, rule or bye-law made before the commencement of this Act, although the enactment, rule or bye-law is continued or amended by an enactment, rule or bye-law made after the commencement of this Act.

Saving for previous enactments, rules and bye-laws.

[30. Where in any Mysore Act, or in any Rule made under any Mysore Act, it is directed that any order, notification or other matter, shall be notified or published, such notification or publication shall, unless the Act otherwise provides, be deemed to be duly made if it is published in the Official Gazette.

Publication of orders and notification in the Official Gazette.

31. When, by an Act, the Government is empowered to extend or apply an Act or any provision of an Act, to any place in, or to any portion of the State, the Government may, in any order extending or applying such Act or provision or in any subsequent order, notify the time at which the same shall come into force in the place or portion of the State to which it is so extended or applied ; and unless it is otherwise provided in the Act, the Government may, by notification in the Official Gazette from time to time, postpone the time at which the Act or provision shall come into force in such place or portion of the State, or cancel the order for extending or applying the same to such place or portion of the State :

Determination of the times at which Acts or provisions of Acts extended or applied by Government to certain places shall come into force.

Provided that no order postponing the time at which an Act or provision shall come into force or cancelling the order for extending or applying the same shall be made after the Act or provision has actually come into force in the place or portion of the State to which such order relates.

32. The provisions of this Act shall apply in relation to any Ordinance promulgated by the Rajpramukh under Article 213 of the Constitution in like manner as they

Application of Act to Ordinances.

1. Sections 30, 31 and 32 substituted by Act 12 of 1953.

apply in relation to Mysore Acts made by the State Legislature :

Provided that sub-section (1) of section 5 of this Act shall apply to any such Ordinance as if the reference in that sub-section to the day of the first publication of the assent to an Act in the Official Gazette were a reference instead to the day of the first publication of the Ordinance in that Gazette.]